

FILED

MAR 09 2021

Clerk, U.S. District Court
District Of Montana
Great Falls

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

MICHAEL McNULTY,

Plaintiff,

vs.

AGRONOMY SCIENCES LLC d/b/a
HEFTY SEED COMPANY; and
DOES 1-10,

Defendants.

CV 20-07-GF-JTJ

ORDER

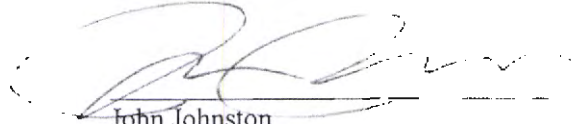
Plaintiff Michael McNulty (McNulty) has moved for partial summary judgment on the Second Affirmative Defense asserted by Defendant Agronomy Sciences LLC d/b/a Hefty Seed Company (Hefty). Hefty's Second Affirmative Defense alleges immunity based on workers' compensation exclusivity. McNulty argues that this defense should be dismissed because he was never employed by Hefty. Hefty does not oppose the motion. (Doc. 49).

Accordingly, IT IS HEREBY ORDERED:

1. Plaintiff's Motion for Partial Summary Judgment on Defendant's Affirmative Defense of Workers' Compensation Exclusivity (Doc. 43) is GRANTED.

2. Hefty's Second Affirmative Defense is DISMISSED.

DATED this 9th day of March, 2021.



John Johnston
United States Magistrate Judge